IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO. 308 OF 2003

IN

COMPANY PETITION NO. 59 OF 1984

In the matter of Companies Act, 1956.

Index Tissues Pvt. Ltd., .. Petitioner.

And

Rashtriya Girni Kamgar Sangh
And The Khandesh Mills Workers
And Industrial Society Ltd., .. Applicants.

vs.

Official Liquidator,
High Court, Bombay. .. Respondent.

Mr. Ajay Panicker for applicant in support.
Mr. P.G. Rao, Dy. Official Liquidator present.
Ms. Gauri Godse for workers.
Mr. L.M. Acharya for Raj Mudra Real Estate Pvt. Ltd.,

..

CORAM : S.U. KAMDAR, J.

DATE : 4th February, 2005.

P.C.

1. The learned counsel for the applicant submits that in so far prayers (a), (b) and (e) are concerned, the Official Liquidator should be directed to look into it. The Official Liquidator is accordingly directed to re-examine the claim and ascertain whether it is due and payable in accordance with law and pass a speaking order after hearing the applicant as well as Raj Mudra Real Estate Pvt. Ltd. Pvt. Ltd. In so far as prayer clauses (c), (f), (h), (i) and (k) are concerned, the applicant does not press the same and seeks leave to adopt appropriate legal proceedings in accordance with the provisions of the Industrial Disputes Act or any other provisions which are applicable for adjudication thereof. Liberty is accordingly granted to adopt appropriate proceedings to agitate the issues covered by the aforesaid prayers. In an event if any orders are obtained by the applicants from the court of competent jurisdiction and filed with the Liquidator, then the Liquidator is directed to take the same into consideration while passing the final order in that regard. Application dismissed as withdrawn with the aforesaid liberty.